

Appl. No. 10/611,425  
Amdt. dated January 18, 2007  
Reply to Office Action of September 28, 2006

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to drawing Fig. 6 in which the direction of the arrow between elements 103 and 110 has been switched.

Attachment: Replacement Sheet  
Annotated Sheet Showing Changes

## **REMARKS**

### **I. Status of Claims**

After the above amendments, claims 1-16 are pending. Claims 1, 5, 9 and 13 are independent.

### **II. Objection to the Drawings**

The Examiner has objected to drawing figure 6 because of the direction of the arrow between elements 103 and 110. Applicants have amended the drawings such that the arrow between elements 103 and 110 is oriented so that it starts at element 110 and ends at element 103. Accordingly, withdrawal of the objection to drawing figure 6 is respectfully requested.

### **III. Objection to the Claims**

The Examiner has objected to claims 7 and 15 because the description of the summer/summing implies that all of the weighted channel signals are being summed together, while drawing figure 4 illustrates that the channel signals are summed with a corresponding pilot signal individually. Applicants have amended claims 7 and 15 to clarify the language in the claims. Accordingly, withdrawal of the objection to claims 7 and 15 is respectfully requested.

### **IV. Rejection of claims under 35 U.S.C. §103**

The Examiner has rejected claims 1-16 under 35 U.S.C §103(a) as being obvious over Kim et al. (US 6,892,059 B1, hereafter referred to as KIM, in view of Hottinen et al. (US 2002/0009156 A1), hereafter referred to as HOTTINEN. Applicants respectfully request reconsideration of the rejection because KIM is not prior art. In particular, KIM is disqualified as prior art under 35 U.S.C §103(c). Eligibility under 35 U.S.C §103(c) for disqualification of a reference requires that A) the reference was used in a 35 U.S.C §103(a) rejection, B) the application and reference were, at the time the invention of the application was made, owned by the same entity, and C) the reference only qualifies as prior art under 35 U.S.C §102(e), 35 U.S.C §102(f) or 35 U.S.C §102(g).

With respect to element A, KIM has been cited as a prior art reference in 35 U.S.C §103(a) rejections for claims 1-16. With respect to element B, *the Applicants' application and*

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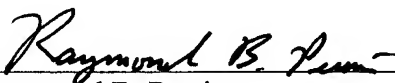
*KIM* were, at the time the invention of the Applicants' application was made, owned by Samsung Electronics Co., LTD. With respect to element C, KIM only qualifies as prior art under 35 U.S.C. §102(e). The Applicants' filing date of July 2, 2003 is prior to KIM's publication date of May 10, 2005. Accordingly, KIM does not qualify as prior art under 35 U.S.C. §102(a) or 35 U.S.C. §102(b), and is instead only available as prior art under 35 U.S.C. §102(e). Therefore, KIM is disqualified as prior art under 35 U.S.C. §103(c) for the reasons given above. Accordingly, withdrawal of the rejections of claims 1-16, based on KIM, is respectfully requested.

**V. Conclusion**

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

Date: January 19, 2007

  
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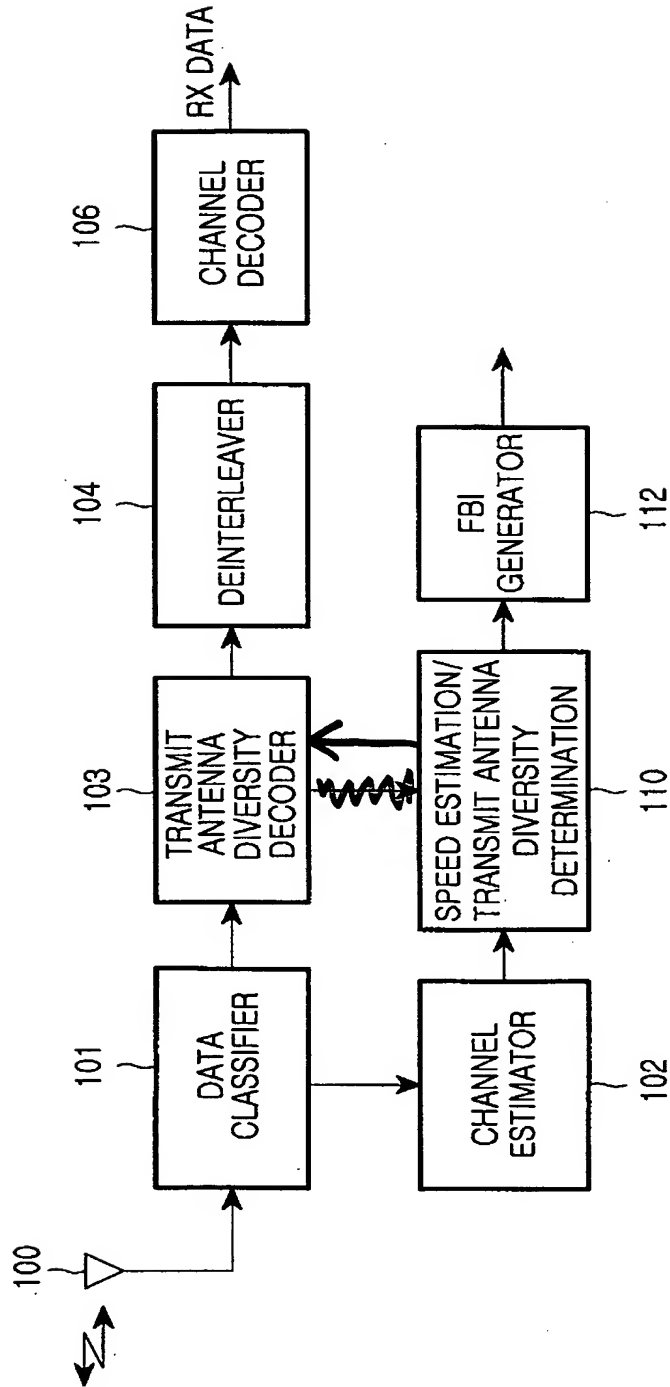


FIG. 6